1	REVISED PROPOSED REGULATION OF
2	THE STATE ENVIRONMENTAL COMMISSION
3 4 5	LCB File No. R208-03 Petition 2003-08
6	January 21, 2004
7	EXPLANATION – Matter in <i>italics</i> is new; matter in brackets [omitted material] is material to be omitted.
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9	AUTHORITY: §§1-5, NRS 459.485, 459.490 and 459.500.
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11	Section 1. Chapter 444 of NAC is hereby amended by adding thereto the provisions set
12	forth as sections 2 and 3 of this regulation.
13	Sec. 2. "Delisted waste" means waste that the EPA removed from the list of hazardous
14	wastes located in 40 C.F.R. Part 261, Subpart D, as a result of a successful petition for a
15	regulatory amendment pursuant to 40 C.F.R. § 260.20 or 40 C.F.R. § 260.22.
16	Sec. 3. "Remediation waste" has the meaning ascribed to it in 40 C.F.R. § 260.10.
17	Sec. 4. NAC 444.842 is hereby amended to read as follows:
18	444.842 As used in NAC 444.842 to 444.8482, inclusive, unless the context otherwise
19	requires, the words and terms defined in NAC 444.8422 to 444.8444, inclusive, and sections 2
20	and 3 of this regulation have the meanings ascribed to them in those sections.
21	Sec. 5. NAC 444.843 is hereby amended to read as follows:
22	444.843 1. "Hazardous waste" has the meaning ascribed to it in NRS 459.430.
23	2. The term includes any:

- 24 (a) Hazardous waste or constituent of hazardous waste which is subject to regulation under
- 25 40 C.F.R. Part 261;
- 26 (b) Waste containing polychlorinated biphenyl; and
- (c) Waste brought into this state which is designated as hazardous waste in the state of its
- origin ... unless the waste:
- 29 (1) Is remediation waste or delisted waste;
- 30 (2) Does not meet the requirements of paragraph (a) of subsection 2; and
- 31 (3) Is disposed of at a facility for the management of hazardous waste.